

AN ORDINANCE

2011-01-13-0011

**AUTHORIZING A CITY REQUESTED CHANGE ORDER IN THE INCREASED AMOUNT NOT TO EXCEED \$28,099.80 TO THE CONSTRUCTION CONTRACT WITH YANTIS COMPANY, OF WHICH \$22,479.84 WILL BE REIMBURSED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR ADDITIONAL CONSTRUCTION WORK FOR THE 36TH STREET - US 90 TO GROWDON ROAD PROJECT, AN AUTHORIZED LOCAL AGENCY MANAGEMENT PROJECT AND FUNDED BY CERTIFICATES OF OBLIGATION AND FEDERAL FUNDS THROUGH THE METROPOLITAN PLANNING ORGANIZATION AND THE AMERICAN RECOVERY AND REINVESTMENT ACT, LOCATED IN COUNCIL DISTRICT 5.**

\* \* \* \* \*

**WHEREAS**, Ordinance No. 2010-01-21-0039 awarded a construction contract to **Yantis Company** in the amount of \$3,297,539.60 in connection with the 36<sup>th</sup> Street from US 90 to Growdon Road Project which provides for the reconstruction of 36th Street from US 90 to Growdon Road to a 4-lane street with a median to include curbs, sidewalks and drainage improvements; and

**WHEREAS**, the original design for the storm drainage system was 8-foot square storm drain boxes to connect the storm sewer pipes to the drainage box culverts, however, it was discovered that the walls were not thick enough to accommodate the connection with the box culverts; and

**WHEREAS**, this Ordinance authorizes a Change Order to increase the size of drainage structures required for this Project; and

**WHEREAS**, previous change orders totaling \$4,679.35 have increased the contract to \$3,302,218.95 this change order in the amount not to exceed \$28,099.80 will increase the contract amount to \$3,330,318.75; and

**WHEREAS**, out of the change order amount, \$22,479.84 will be reimbursed by TxDOT and \$5,619.96 will be paid from the project contingency for which funds are available and included in the FY 2011 – 2016 Capital Improvement Budget; and

**WHEREAS**, approval of the Ordinance will be a continuation of City Council policy to complete previously approved Local Agency Management (LAM) and American Recovery and Reinvestment Act (ARRA) funded projects; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The Change Order in the increased amount not to exceed \$28,099.80 is hereby approved. The City Manager or her designee is hereby authorized to execute the Change Order to the contract with **Yantis Company**.

**SECTION 2.** The following financial adjustments are hereby authorized to effect this Ordinance:

- a) Funds are authorized to be received from TXDOT to SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, shall be revised by increasing WBS element 23-00839-90-15, entitled TXDOT Contribution, SAP GL Account 4502280 – Contribution from other Agencies, by the amount of \$22,479.84.
- b) The amount of \$22,479.84 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, SAP WBS Element 23-00839-05-02-01-02, entitled TXDOT Construction Costs, SAP GL Account 5201140.
- c) Payment in the amount not to exceed \$28,099.80 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 23-00839, 36th Street - US90 to Growdon, is authorized to be encumbered and made payable to the **Yantis Company** for construction services.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 4.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

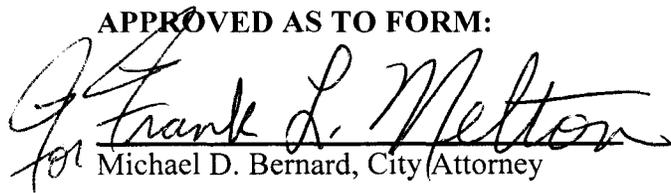
**PASSED AND APPROVED** this 13th day of January, 2011.

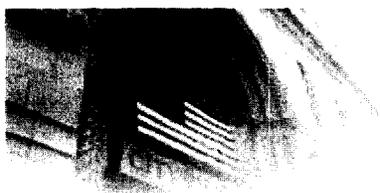
  
M A Y O R  
Julián Castro

**ATTEST:**

  
Leticia M. Vacek, City Clerk

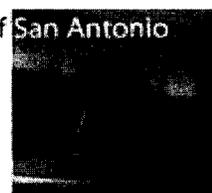
**APPROVED AS TO FORM:**

  
for Michael D. Bernard, City Attorney



Request for  
**COUNCIL**  
**ACTION**

City of San Antonio



## Agenda Voting Results - 15

<b>Name:</b>	5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 24, 26A, 26B, 26C, 26D, 27						
<b>Date:</b>	01/13/2011						
<b>Time:</b>	09:21:33 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing a City requested change order in the increased amount of \$28,099.80 to the \$3,302,218.95 construction contract with Yantis Company, of which \$22,479.84 will be reimbursed by the Texas Department of Transportation, for additional construction work for the 36th Street - US 90 to Growdon Road Project, an authorized Local Agency Management project and funded by Certificates of Obligation and federal funds through the Metropolitan Planning Organization and the American Recovery and Reinvestment Act, located in Council District 5. [Peter Zaroni, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				x